IN THE CLAIMS

Claims 1-12 (canceled)

13. (currently amended) A method of determining the reverse link data rate limit for a mobile station of a high data rate system comprising the steps of:

providing a window of a number of frames;

subtracting the reciprocal of the number of frames in the window from one to obtain a first number;

multiplying the first number by ~~an aggregate data rate of the frames of the~~ a load value obtained during a previous window to obtain a second number;

multiplying the reciprocal of the number of frames in the window by a normalized aggregate rate received during a single frame to obtain a third number; and

adding the second number to the third number to obtain a fourth number which is ~~the reverse loading~~ a maximum aggregate reverse link rate expressed as a percentage.

14. (original) The method of claim 13 further comprising the step of comparing the fourth number to a set of threshold values to obtain the maximum rate limit for the mobile station.

15. (original) The method of claim 13 wherein the number of frames in the window is fixed.

16. (original) The method of claim 15 wherein the frames in the window are consecutive frames.

17. (currently amended) The method of claim 13 wherein the normalized aggregate rate comprises a ratio of the aggregate of active mobiles divided by ~~the~~ a maximum data rate limit of the reverse link.

18. (new) The method of claim 13 where the aggregate rate is obtained by adding a data rate of each mobile in a common sector.

19. (new) The method of claim 18 where a moving average of the aggregate rate is obtained by adding the aggregate rate for a single frame to an average rate of preceding frames.

20. (new) The method of claim 15 where the fixed number of frames comprises at least two frames.

21. (new) The method of claim 15 where the fixed number of frames in the window comprises up to five hundred or more frames.

22. (new) The method of claim 19 where the rate of one of the preceding frames is dropped each time the rate of a new frame is added to a window.